

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

SEAN PRICE,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:23-CV-110
)	
WARDEN HUTCHINSON, et al,)	
)	
Defendants.)	

MEMORANDUM ORDER

This action was received by the Clerk of Court on April 17, 2023. The matter was assigned and referred to Chief United States Magistrate Judge Richard A. Lanzillo, for report and recommendation in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

On December 13, 2024, Judge Lanzillo issued a Report and Recommendation recommending that this action be dismissed due to Plaintiff's failure to prosecute it. To date, no objections have been filed.

"If a party objects timely to a magistrate judge's report and recommendation, the district court must 'make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made.'" *EEOC v. City of Long Branch*, 866 F.3d 93, 99 (3d Cir. 2017) *quoting* 28 U.S.C. § 636(b)(1). Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the magistrate judge's findings or recommendations. 28 U.S.C. § 636(b)(1); Local Rule 72(D)(2).

After *de novo* review of the complaint and documents in the case, together with the docket and the report and recommendation, the following order is entered:

AND NOW, this 3rd day of January, 2025;

IT IS ORDERED that this action is dismissed due to Plaintiff's failure to prosecute it.

IT IS FURTHER ORDERED that the report and recommendation of Chief Magistrate Judge Lanzillo, issued on December 13, 2024 [ECF No. 24] is adopted as the opinion of the court.

IT IS FURTHER ORDERED that all pending motions are dismissed as moot.

/s/ Susan Paradise Baxter
SUSAN PARADISE BAXTER
United States District Judge